

1 JOHN D. PERNICK, SBN 155468
2 jpernick@be-law.com
BERGESON, LLP
3 111 North Market Street, Suite 600
San Jose, CA 95113
4 Telephone: (408) 291-6200
Facsimile: (408) 297-6000

5 Attorneys for Defendant
6 GRAPH FOUNDATION, INC.

7
8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA
10 SAN FRANCISCO DIVISION

11 NEO4J, INC., a Delaware corporation

Case No. 5:19-CV-06226-EJD

12 Plaintiff,

**STIPULATION EXTENDING BRIEFING
DEADLINES ON TO MOVE TO STRIKE
AND ADDITIONAL DISCOVERY
RESPONSES AND [PROPOSED] ORDER**

13 vs.

14 GRAPH FOUNDATION, INC., an Ohio
corporation,

16 Defendant.

17

18

19

20

21

22

23

24

25

26

27

28

1 Plaintiff Neo4J, Inc. (“Plaintiff”), by and through its attorneys of record, and Defendant
2 Graph Foundation, Inc. (“Defendant”), by and through its attorney, John D. Pernick, Esq.,
3 (Plaintiff and Defendant, collectively, the “Parties”), HEREBY STIPULATE AS FOLLOWS:

4 WHEREAS, Defendant filed its Second Amended Answer to the Complaint on June 12,
5 2020.

6 WHEREAS, on June 26, 2020, Plaintiff filed its Motion to Strike the Second and Fourth
7 Affirmative Defenses of the Second Amended Answer. The hearing on the Motion to Strike is set
8 for August 13, 2020.

9 WHEREAS, Defendant’s Opposition to the Motion to Strike is currently due on July 10,
10 2020.

11 WHEREAS, in response to Motions to Compel brought by Plaintiff, the Court has ordered
12 Defendant to provide additional responses to Plaintiff’s Interrogatories and Requests for
13 Production by July 8, 2020.

14 WHEREAS, Defendant has requested, and Plaintiff has agreed to extensions of the
15 deadlines for Defendant’s Opposition to the Motion to Strike and Defendant’s additional
16 discovery responses.

17 IT IS HEREBY STIPULATED THAT:

18 1. The deadline for Defendant to serve additional discovery responses in accordance
19 with the Court’s June 25, 2020 Order is extended to July 10, 2020.

20 2. The deadline for Defendant to file its opposition to Plaintiff’s Motion to Strike is
21 extended to July 17, 2020

22 3. The deadline for Plaintiff to file its reply to Defendant’s opposition to Plaintiff’s
23 Motion to strike is extended to July 24, 2020.

24

25

26

27

28

1 Dated: July 8, 2020

BERGESON, LLP

2 By: /s/ John D. Pernick

3 John D. Pernick
Attorneys for Defendant
4 GRAPH FOUNDATION, INC.

5 Dated: July 8, 2020

HOPKINS & CARLEY

6 By: /s/ Cary Chien

7 John V. Picone III
Jeffrey M. Ratinoff
Cary Chien
8 Attorneys for Plaintiff
9 NEO4J, INC.

10 PURSUANT TO STIPULATION, IT IS SO ORDERED.

11 DATED: _____

12 _____ United States District Judge

14 **ATTESTATION**

15 I, John D. Pernick, am the ECF User whose identification and password are being used to
16 file this **STIPULATION EXTENDING BRIEFING DEADLINES ON TO MOVE TO**
17 **STRIKE AND ADDITIONAL DISCOVERY RESPONSES AND [PROPOSED] ORDER.** In
18 compliance with Civil Local Rule 5-1(i)(3), I attest that all other signatories have concurred in this
19 filing.

20 Dated: July 8, 2020

By: /s/ John D. Pernick

21 John D. Pernick